

## R E M A R K S

Claims 1 – 25 are pending in the present application. With this Response, Applicants amend claims 1 and 4. No new matter is introduced. Support for the amendments may be found, for example, in Applicants specification at page 9, line 16 through page 10, line 16 and page 11, line 26 through page 13, line 29 (and with reference to Applicants' FIGs. 1 and 2).

### REJECTION UNDER 35 U.S.C. § 103

Claims 1 – 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,764,637 to Nishihara. Applicants amend claims 1 and 4 to further clarify the nature of their invention, and respectfully traverse these rejections.

In amended independent claims 1 and 4, Applicants disclose a method and apparatus for switching communication modes to operate either in a frame relay exchange mode or in an ATM mode. In amended independent claim 1, for example, Applicants disclose:

1. A method for switching communication modes for shifting an exchange from a frame relay exchange to an ATM exchange in a communication system having a plurality of exchanges each accommodating a plurality of terminals and including a frame relay exchange and having a network for connecting the plurality of exchanges to each other in order to transfer data among said plurality of terminals, comprising

a first step of selecting any one exchange among said plurality of exchanges,

a second step of operating said selected exchange as a frame/cell compatible type exchange capable of operating for both outputting input frame relay signals as ATM cell signals and outputting input ATM cell signals as frame relay signals, reversibly, and

a third step of executing said first step and second step for an exchange which has not yet been selected and

repeating said third step to autonomously shift all said exchanges to said ATM exchanges.

Nishihara discloses an STM/ATM converter for converting time slot data in STM frames to ATM cells (see, e.g., abstract and FIG. 3 of Nishihara). In this capacity, the STM/ATM converter of Nishihara performs one-way conversion to convert STM data to ATM data.

In amended independent claim 1, Applicants disclose a method directed to providing for the migration of a network configured as a frame relay based to network to a network that is ATM based. Specifically, according to Applicants' method as claimed in claim 1, a selected exchange is configured "as a frame/cell compatible type exchange capable of operating for both outputting input frame relay signals as ATM cell signals and outputting input ATM cell signals as frame relay signals, reversibly". This lies in sharp contrast to the converter of Nishihara, which performs only a one-way conversion to convert STM data to ATM data. Accordingly, Applicants respectfully submit that Nishihara fails to disclose or suggest all of the limitations of Applicants' amended claim 1, and submit that amended claim 1 is therefore allowable.

As to amended independent claim 4, Applicants essentially repeat the above arguments made with respect to claim 1. Moreover, Applicants' note that, with respect to amended independent claim 4, Nishihara also fails to disclose or Applicants' claim limitation requiring "an ATM side bus and a frame relay side bus provided in parallel". Accordingly, Applicants respectfully submit that Nishihara fails to disclose or suggest all of the limitations of Applicants' amended claim 4, and submit that amended claim 4 is therefore allowable.

In summary, Applicants respectfully submit that neither of amended independent claims 1 and 4 is made obvious by Nishihara, and that amended independent claims 1 and 4 are therefore allowable. As dependent claims 2, 3 and 5 – 25 each depend from one of allowable

claims 1 and 4, Applicants further submit that claims 2, 3 and 5 – 25 are allowable for at least this reason.

CONCLUSION

In view of the amendments and set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



\_\_\_\_\_  
Thomas J. Bean  
Reg. No. 44,5287

CUSTOMER NUMBER 026304

PHONE: (212) 940-8800/FAX: (212) 940-8776  
Docket No.: 100794-11712 (FUJA 18.539)  
TJB: pm